but it has been decided that the compassionate appointments can be made up to a maximum of five per cent vacancies falling under the "Direct Recruitments" quota in any Group C and D posts." Sir, these are the regulations that have been made.

श्री सूर्यभान पाटिल वाहादनेः श्रीमान्, मेरा एक सीधा सवाल है कि यदि कोई चतुर्थ श्रेणी का कर्मचारी सेवाकाल में मृत हो तो उस कर्मचारी के परिवार में से किसी एक व्यक्ति को अनुकंपा के आधार पर नौकरी में समाविस्ट करने का कोई लीगल प्रावधान है?

DR. U. VENKATESWARLU: Sir, this is an arrangement which has been made by the Government. There is no legal provision.

SHRI SURYABHAN PATIL VAHADANE: I am not asking about the arrangement. Is there any legal provision in the Act?

DR. U. VENKATESWARLU: Sir. there is no legal provision in the Act. It is a compassionate arrangement that has been made by the Government to provide some kind of assistance to the families of the deceased employees. This is an arrangement made by the Government. There is a Supreme Court judgement delivered as early as 4th May, 1994. Here also it has been categorically observed by the Supreme Copurt that some Government or public authorities have been offering compassionate employment, sometimes as a matter of course, irrespective of the financial conditions of the family of the deceased and this is legally impermissible. Here also as a matter of course the employment was given. It has been observed by the Supreme Court that it is legally impermissible. The Government has a right to assess the condition of the family and, depending on their status and need, to provide employment. It is not a matter of legal provision.

श्री मोहम्मद आज़म खानः सभापति जी, मृतक के आश्रित के लिए यह सहायता या जो भी प्रावधान केन्द्र सरकार और राज्य सरकारों में भी है, वह मानवता के आधार पर है या ह्यूमनिटेरियन ग्राउंड पर है। इसलिए इस में कोई कोटा या परसेंटेज होना कुछ अच्छा नहीं लगता। फिर भी अगर कोई ऐसी बंदिश या परेशानी हो तो क्या मानवाधिकारों का ख्याल रखते हुए 5 परसेंट कोटे को नहीं बढ़ाया जा सकता? हालांकि प्रदेश सरकारों में तो ऐसा ही है कि जितने भी मृतक के आश्रित होते हैं, उन्हें समायोजित किया जाता है। महोदय, हमारे उत्तर प्रदेश में तो कम-से-कम हमारा तजुर्बा है कि किसी भी विभाग में इस तरह की शिकायत नहीं मिलती कि मृतक के आश्रित को जगह न दी जाय। उत्तर प्रदेश में तो खास तौर से यह शिकायत नहीं मिलती, लेकिन अगर मृतक के आश्रित को नौकरी नहीं दी जा सके तो कम-से-कम इतना हो सकता है कि उसे उस समय तक जब तक कि सर्विस में नहीं लिया जाता, कोई ऐसा गुजारा भत्ता दिया जाता है जिस से कि उस का गुजारा हो सके। क्या ऐसे किसी प्रावधान का विचार केन्द्र सरकार का नहीं है? क्या "जस्ट ऑन बेसिस ऑफ ह्यूमनिटेरियन ग्राउंड" ऐसा किया जा सकता है?

DR. U. VENKATESWARLU: Sir, I think I have adequately replied to the questions that are being raised. There is a particular quota that has been fixed. In fact, the Ministry has addressed the DOPT to examine the possibility of relaxing this rule. On two occasions it has been said that it was not possible to relax this rule as such, as the Ministry was concerned with the imposition. Therefore, it cannot be relaxed.

*203. *[The Questioner (Shri Bhagwan Majhi) was absent. For answer vide Col. 30 infra.]*

Central Authority to Prevent Encroachments

*204. SHRI O.P. KOHLI: Will the PRIME MINISTER be pleased to state:

(a) whether a Delhi Court, in a judgement in 1993, had directed to constitute a Central Authority or Department with full-time function to relocate public premises in occupation of various people, and to prevent further encroachments;

(b) if so, the details thereof; and

(c) the action taken by Government thereon?

THE MINISTER OF STATE IN THE

MINISTRY OF URBAN AFFAIRS AND EMPLOYMENT AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (DR. U. VENKATESWARLU): (a) to (c) The Hon'ble Court of the Sub-judge, Ist Class Tees Hazari Court, in the suit No. 581/92 Bhikhari LaL vs. M-.C.D. and Laxmi Chand had suggested in September, 1992 for consideration of the Union Government in the Ministry of Urban Development to constitute a Central Authority or Department in respect of public premises vesting in and belonging to different bodies in Delhi. Since a Committee headed by Secretary, Ministry of Urban Development, Government of India was already constituted in pursuance to the orders of the Hon'ble High Court of Delhi in Civil Writ Petition No. 3461 of 1989- Kailash Colony Women's Association vs M.C.D. and others to find ways to sort out the problem of unauthorised construction and illegal user in the context of violation of building bye-laws among others, it was not considered necessary to constitute a Central Authority or Department and accordingly the Standing Government Counsel, Tees Hazari Court was requested on 17.2.1994 to submit the fact to the Hon'ble Court.

श्री ओ॰पी॰ कोहली: सभापति महोदय, मैं माननीय मंत्री महोदय से जानना चाहूंगा कि: (ए) दिल्ली में कुल कितनी जमीन अतिक्रमण और अवैध कब्जों के अधीन है, (बी) पिछले तीन वर्षों में सरकार कितनी सार्वजनिक जमीन अतिक्रमण और अवैध कब्जों से मुक्त करा सकी है और (सी) सार्वजनिक जमीन से अवैध कब्जे हटवाने के कुल कितने मामले विभिन्न न्यायालयों में लंबित पड़े हैं?

DR. U. VENKATESWARLU: Sir, these public places, as the hon. Member knows, have been held by different agencies, the DDA, MCD, NDMC, L & DO and other departments. In fact, I have got the figures. I can give the figures to the hon. Member. However, the numbers of structures that have been demolished are 4,763 in 1991-92, 4,058 in 1992-93, 4,513 in 1993-94, 5144 in 1994-95 and 3,749 in 1995-96. These have already been handed over. Similarly, there was another question which was put by the hon. Member.

MR. CHAIRMAN: Question Hour is over.

WRITTEN ANSWERS TO STARRED QUESTIONS

Housing Schemes for SCs STs and OBCs

*203. SHRI BHAGABAN MAJHI: Will the Minister of RURAL AREAS AND EMPLOYMENT be pleased to state:

(a) whether Government have taken any steps to promote rural housing;

(b) whether any housing schemes, besides the Indira Awas Yojana are being implemented for the SCs, STs and OBCs;

(c) if not, whether any alternaive scheme is proposed to be implemented in addition to the Indira Awas Yojana; and

(d) if so, the steps taken by Government in that regard?

THE MINISTER IN THE MINISTRY OF RURAL AREAS AND EMPLOYMENT (SHRI K. YERRANNAIDU): (a) Yes, Sir.

(b) to (d) Presently Indira Awas Yojana is the only centrally sponsored rural housing scheme being implemented on a 80:20 cost sharing basis between Centre and State Government. It is a 100% grant-in-aid scheme. The target groups under the scheme are SC/ST and freed bonded labourers and non-SC/ST below poverty line, As per the guidelines, the benefit to non-SC/ST poor should not exceed 40% of the total houses constructed. Besides, States have their own housing schemes independent of Indira Awas Yojana for rural areas. Apart from this HUDCO also gives loan to Housing Development Agencies of the States to construct houses for the Economically Weaker Section people in the rural areas.